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ORIGIN AF-01

INFO	LOG-00	AID-01	AMAD-01	CIAE-00	OASY-00	DODE-00	EB-01
	OIGO-01	H-01	TEDE-00	INR-00	IO-16	JUSE-00	L-01
	ADS-00	M-00	NSAE-00	NSCE-00	OIC-02	OIG-04	OMB-01
	PA-01	PM-00	PRS-01	P-01	SNP-00	SP-00	SR-00
	SS-00	STR-01	TRSE-00	T-00	USIE-00	PMB-00	PRM-10
	PRME-01	DRL-09	G-00	/054R			

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IO/UNP:GSTANTON

P:LBASSETT

AID/AFR/EA:LLLOYD

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P R 102159Z NOV 94

FM SECSTATE WASHDC

TO AMEMBASSY KIGALI PRIORITY

INFO RWANDA COLLECTIVE

C O N F I D E N T I A L STATE 304744

E.O. 12356: DECL: OADR

TAGS: PREL, PHUM, PREF, RW

SUBJECT: COOPERATION ON TRIBUNAL/AID BENCHMARKS

REF: A) KIGALI 2114 B) STATE 278118 AND 284171

1. CONFIDENTIAL - ENTIRE TEXT. THIS IS AN ACTION REQUEST.
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COOPERATION WITH TRIBUNAL

2. WITH THE SECURITY COUNCIL HAVING APPROVED THE ESTABLISHMENT OF THE TRIBUNAL AND RWANDA HAVING, AS EXPECTED, CAST A NO VOTE, IT IS CRUCIAL THAT WE RECEIVE ASSURANCES FROM THE GOR THAT IT WILL COOPERATE FULLY WITH THE WORK OF THE TRIBUNAL. REF (A) REPORTS THAT THE GOR SAYS IT WILL "STRONGLY SUPPORT" THE WORK OF THE TRIBUNAL, AND KAGAME WAS QUOTED IN THE NOV. 8 NEW YORK TIMES ARTICLE AS SAYING THAT RWANDA IS NOT LOOKING FOR A FIGHT WITH THE UN AND WOULD ACCEPT THE TRIBUNAL DESPITE ITS NO VOTE. WHILE THESE STATEMENTS ARE ENCOURAGING, POST SHOULD CONFIRM THIS POSITION WITH A FORMAL DEMARCHE TO APPROPRIATE OFFICIALS IN THE HOST GOVERNMENT.

3. POST MAY DRAW ON THE FOLLOWING POINTS:

-- NOW THAT THE SECURITY COUNCIL HAS APPROVED THE TRIBUNAL FOR RWANDA, PROSECUTORIAL INVESTIGATIONS AIMED AT BRINGING TO JUSTICE THE PERPETRATORS OF GENOCIDE AND OTHER ATROCITIES CAN BEGIN IN EARNEST.

-- THE WORK OF THE TRIBUNAL MUST HAVE THE FULL COOPERATION OF THE RWANDAN GOVERNMENT. WE WELCOME YOUR INITIAL STATEMENTS OF SUPPORT, NOTWITHSTANDING YOUR GOVERNMENT'S NEGATIVE VOTE ON THE RESOLUTION, AND URGE YOU TO CONFIRM YOUR GOVERNMENT'S COMMITMENT TO COOPERATE FULLY WITH THE WORK OF THE TRIBUNAL.

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-- WE KNOW HOW STRONGLY THE RWANDAN GOVERNMENT FEELS ABOUT ENSURING ACCOUNTABILITY FOR THE ATROCITIES THAT HAVE OCCURRED IN RWANDA. THE INTERNATIONAL TRIBUNAL IS INDISPENSABLE IN THAT EFFORT, AND WE URGE YOU TO GIVE IT YOUR FULL SUPPORT.

BENCHMARKS FOR AID

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4. THE USG UNDERSTANDS THAT THE RWANDAN GOVERNMENT NEEDS ASSISTANCE TO HELP IT CREATE CONDITIONS THAT WILL FOSTER NATIONAL RECONCILIATION AND REFUGEE RETURN. HOWEVER, AS REPORTED IN REF B, WE EXPECT IN TURN THAT THE GOVERNMENT WILL FULFILL CERTAIN COMMITMENTS (BENCHMARKS). BIZIMUNGU AGREED IN PRINCIPLE TO THESE BENCHMARKS, INCLUDING THE NAMING OF A POINT OF CONTACT FOR HUMAN RIGHTS ISSUES. HOWEVER, ON THAT PARTICULAR ISSUE, HE SAID THAT LACK OF RESOURCES HAD PREVENTED THE GOR FROM SETTING UP ITS PLANNED HUMAN RIGHTS COMMISSION.

5. IN CONNECTION WITH THE PARIS MEETING ON WORLD BANK ARREARS, THE USG MADE ITS COMMITMENT CONTINGENT ON A COMMITMENT BY THE GOR TO ALLOW FULL AND UNIMPEDED ACCESS TO ALL PARTS OF THE COUNTRY BY UNAMIR AND THE HUMAN RIGHTS MONITORS. WE UNDERSTAND THAT THE GOR HAS ALREADY MADE SUCH A COMMITMENT, BUT NOTE THAT THERE HAVE BEEN INSTANCES IN WHICH UNAMIR WAS PREVENTED FROM HAVING ACCESS TO CERTAIN SITES.

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6. WE ARE MOVING FORWARD ON THE PAFERWORK FOR OUR PLANNED DOLLARS 2.5 MILLION CONTRIBUTION TOWARD PAYING OFF RWANDA'S WORLD BANK ARREARS AND ARE FINALIZING PLANS FOR

OUR BILATERAL AID PROGRAM, WHICH WILL INCLUDE IMPORTANT SUPPORT TO THE RWANDAN JUDICIAL SYSTEM. IN TURN, WE WANT THE GOR TO RECONFIRM ITS COMMITMENTS IN THESE KEY AREAS.

7. DRAWING ON BACKGROUND ABOVE POST IS REQUESTED TO APPROACH APPROPRIATE GOR AUTHORITIES AND MAKE CLEAR OUR INTENTION TO PROVIDE ASSISTANCE TO THE GOR, PROVIDED THAT THE GOR AGREES TO:

-- FREE AND UNIMPEDED ACCESS BY UNAMIR TO ALL PARTS OF RWANDA;

-- FREE AND UNIMPEDED ACCESS BY THE HUMAN RIGHTS MONITORS TO ALL PARTS OF RWANDA; AND

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-- THE NAMING OF A POINT OF CONTACT ON HUMAN RIGHTS
ISSUES. (THERE IS NO OBJECTION TO PLACING THIS
RESPONSIBILITY IN AN ALREADY EXISTING MINISTRY.)

POST SHOULD REPORT BACK AS SOON AS POSSIBLE ON GOR'S
AGREEMENT TO THESE BOTTOM LINE CONDITIONS. AS FOR THE
OTHER BENCHMARKS OUTLINED IN REF B, WE WILL CONTINUE TO
TRACK GOR PERFORMANCE IN THESE AREAS AS PART OF OUR
ONGOING COOPERATIVE RELATIONSHIP AND DIALOGUE WITH THE GOR.

8. MINIMIZE CONSIDERED.

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